

Reddie & Grose

Chartered Patent Agents
European Patent Attorneys

16 Theobalds Road

London WC1X 8PL

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AIR MAIL

PHILIP MORRIS INCORPORATED,
Law Department, Patent Section,
P.O. Box 26583,
Richmond,
Virginia 23261,
U.S.A.

Attention: Ms. Susan A. Hutcheson

Dear Madam,

European Patent Application 78 30 0040.9
Your Ref: PM 764
Our File: 21469

We enclose the first official action on the merits of this application issued by the EPO and setting for reply a six-month term ending on 31st January 1980. The Examiner is a British Examiner working in the London Patent Office.

The official action opens with an objection to the novelty of the broad claim and claims 2, 3 and 5 based on the Haglid reference. We have discussed at some length in our letter of 24th November 1978 whether we should regard this document as anticipating the chemical substance claims, and we should welcome a decision as to whether you wish us to present argument or are content to delete the chemical substance claims at the present stage.

There follow minor objections to the wording of claims 1 and 10, but claims 4 and 6 to 9 are found acceptable as well as claims 11 to 14. Particular objections are raised to claims 10 and 15.

It is interesting to note that, despite the variety of claims allowed and those rejected, there is no objection to lack of unity of invention.

Finally, there are objections to examples 10 and 11 and minor objections to the wording of particular passages, most of which we can deal with.

Please let us have your comments on the actions and your instructions on the approach to be adopted and any desired amendments to the claims.

Yours faithfully,

Enclosure

John W. Bailey
David A. Pears M.A.
John H. Bass B.Sc.
P. Antony Smith M.A.
F. A. B. Valentine M.A.
Richard C. Abnett M.A.
Paul A. Brereton M.A.
John M. Cone M.A.
Keith E. Geering B.A.
D. S. Jackson B.Sc.
J. J. Day B.Sc.
Consultant
Michael Hesketh-Prichard

Telephone 01-242 0901
Cables Reddie London WC1
Telex 25445 Reddie G

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REMINDER FOR
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